IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

TUESDAY, THE TWENTY SECOND DAY OF JUNE
TWO THOUSAND AND FOUR

PRESENT
THE HON'BLE MR JUSTICE N.V. RAMANA

WRIT PETITION NO : 8752 of 2004

Between:
1 Smt. B.V. Ramanamma, W/o Late Sathyanarayana Rao,
2 Kum. B. Bhavani Pushpaja, D/o Late B. Sathyanarayana Rao,
3 B. Nageswara Rao, S/o B. Sathyanarayana Rao,
All residents of Telagarayapuram Village, Kaluvoy Mandalam,
Nellore District.

.... PETITIONERS.

AND

1 The District Collector, Nellore District, Nellore.
2 The Revenue Divisional Officer, Nellore Division, Nellore.
3 The Mandal Revenue Officer, Nellore Mandal, Nellore.

.....RESPONDENTS.

Petition under Article 226 of the Constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court will be pleased to issue a writ or order more particularly in the nature of writ of mandamus directing the respondents to issue Ryotwari Pattas in respect of the lands in Survey No. 126 to the extent of 1 Acre 28 Cents, Survey No. 121 to the extent of 1 Acre, Survey No. 135 to the extent of 2 Acre 17 Cents, Survey No. 137 to the extent of 4 Acres, Survey No. 123 to the extent of 1 Acre, Survey No. 125 to the Extent of 1 Acre and in Survey No. 124 to the extent of 1 Acre 15 Cents and deliver possession of the same.

For the Petitioners: MR. SHIVA SHANKER CHOWDARY, Advocate.

For the Respondent Nos. 1 to 3.: GP FOR REVENUE .

The Court at the admission stage made the following :

ORDER:

Heard the learned counsel for the petitioners and the learned Government Pleader for Revenue, and with their consent, the writ petition itself is taken up for final disposal at the stage of admission.

In this writ petition the petitioners seek a direction to the respondents to issue Ryotwari Pattas in their favour in respect of Ac.11-60 cents of land comprising Ac.1-28 cents in survey No.126, Ac.1-00 in survey No.121, Ac.2-17 cents in survey No.135, Ac.4-00 in survey No.137, Ac.1-00 in survey No.123, Ac.1-00 in survey No.125 and Ac.1-15 cents in survey No.124 of Vedayapalem, Nellore Municipal limits, Nellore District.

The petitioners allege that they have succeeded to the land in question on the death of its original owner B. Sathyanarayana Rao, who is the husband of the first petitioner and father of petitioners 2 and 3. It is alleged that in pursuance of the order passed by the Commissioner of Appeals, Office of the Chief Commissioner of Land Administration, Andhra Pradesh, Hyderabad, dated 23-4-2003, the petitioners made an application dated 14-5-2003 to the third respondent-Mandal Revenue Officer, Nellore to issue Ryotwari Patta pass books in their favour with respect to the land in question, and since no action has been taken in the matter, they also got issued legal notice dated 27-6-2003 to the Mandal Revenue Officer, Nellore, and as the Mandal Revenue Officer, Nellore has kept the matter pending without issuing Ryotwari Pattas, the petitioners got issued

another legal notice dated 14-8-2003 to the Joint Collector, Nellore seeking a direction to the Mandal Revenue Officer, Nellore to issue Ryotwari Patta in their favour in respect to the land in question. But no action has been taken in the matter. Hence, the writ petition.

Having regard to the facts and circumstances of the case and since the Joint Collector, Nellore has not taken any action in the matter in spite of the petitioner issuing legal notice, I deem it appropriate to dispose of the writ petition with the following direction:

The Joint Collector, Nellore shall take appropriate action expeditiously on the notice dated 14-8-2003 got issued to him by the petitioners in relation to issuance of Ryotwari Pattas in favour of the petitioners with respect to the land in question. No costs.

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N.V. RAMANA, J

Date: 22-06-2004

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To

1. The Joint Collector, Nellore District, Nellore.
2. The District Collector, Nellore District, Nellore.
3. The Revenue Divisional Officer, Nellore Division, Nellore.
4. The Mandal Revenue Officer, Nellore Mandal, Nellore.
5. Two CCs. to Govt.Pleader for Revenue, High Court of A.P., Hyderabad (OUT)
6. Two C.D. copies.